

NOV 18 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISIONJULIA C. DUDLEY, CLERK
BY: *J. Turk*
DEPUTY CLERK

WILLIAM COUCH,

Plaintiff,

v.

JOHN JABE,

Defendant.

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Civil Action No. 7:09-cv-00434

ORDERBy: Hon. James C. Turk
Senior United States District Judge

This matter is before the Court on Plaintiff's motion for Costs and Expenses (Dkt. No. 46, 48) pursuant to Federal Rule of Civil Procedure 54(d) filed on September 9, 2010. Defendant has not filed any motion or brief in opposition of Plaintiff's motion. As Plaintiff was the prevailing party in this litigation, it is hereby

ADJUDGED AND ORDERED

that Plaintiff's motion is granted.

The Clerk is directed to tax Plaintiff's \$350.00 filing fee to Defendant and send certified copies of this Order to the Plaintiff and counsel of record for Defendant.

ENTERED: This 18th day of November, 2010.

 Senior United States District Judge